

REMARKS

By this amendment, claims 1, 3-13, 19, and 23-29 are pending, in which claims 2, 14-18, 20-22, and 30-35 have been previously canceled without prejudice or disclaimer, no claims are withdrawn from consideration, claim 1 is currently amended, and no claims are newly presented. No new matter is introduced.

The Office Action mailed April 25, 2008 rejected claims 25-27 under 35 U.S.C. § 102(e) as anticipated by *Watts* (US 5,668,861), claims 1, 3-13, 19, and 29 as obvious under 35 U.S.C. § 103 based on *Erwin et al.* (US H1802) in view of *Watts* (US 5,668,861), and claim 29 as obvious under 35 U.S.C. § 103 based on *Watts* (US 5,668,861) in view of *Griffith et al.* (US 5,598,412).

Applicants gratefully acknowledge the allowance of claims 23 and 24 and the indication that claim 28 is directed to allowable subject matter.

A rejection for anticipation under §102 requires that the four corners of a single prior art document describe every element of the claimed invention, either expressly or inherently, such that a person of ordinary skill in the art could practice the invention without undue experimentation. *See Atlas Powder Co. v. Ireco Inc.*, 190 F.3d 1342, 1347, 51 USPQ2d 1943, 1947 (Fed. Cir. 1999); *In re Paulsen*, 30 F.3d 1475, 1478-79, 31 USPQ2d 1671, 1673 (Fed. Cir. 1994).

The rejection of claims 25-27 under 35 U.S.C. § 102(e) is respectfully traversed because *Watts* fails to disclose “an intelligent service network component.” In fact, *Watts* fails to disclose an “an intelligent service network.” The Office Action purportedly equates “intelligent peripheral” 40 of *Watts* to the claimed, “an intelligent service network component.” However, intelligent peripheral 40 is merely a processor that “includes a voice announcement capability, tone dial registers, and a processing unit” (col. 2, lines 63-65). It is not “an intelligent service network component,” as claimed, merely because it uses the word “intelligent” in its description.

Moreover, as is clear from Fig. 1 and the attendant description in *Watts*, this intelligent peripheral 40 is within PSTN 50. Since **the intelligent peripheral 40** is a component of a PSTN, it **cannot be a component of an intelligence service network**, as claimed, wherein a call is set up, connected, or disconnected, and “originated via a public switched telephone network to **an intelligent service network component**” (claim 25), “**from an intelligent service network component** to a terminating party via a public switched telephone network,” (claim 26) and “established between a public switched telephone network and **an intelligent service network component**” (claim 27), respectively.

Accordingly, since *Watts* discloses no “intelligent service network component,” as claimed, it cannot anticipate claims 25-27 under 35 U.S.C. § 102(e). For this reason alone, it is respectfully requested that the rejection be withdrawn.

For similar reasons, the Examiner is respectfully requested to withdraw the rejection of claim 29 under 35 U.S.C. § 103. That is, the Office Action relies on *Watts* for teaching an **intelligent service network component**, which, for the reasons above, it does not. *Griffith et al.* does not provide for the deficiencies of *Watts*, *Griffith et al.* being relied on for an alleged teaching of transferring a call from a first device to a second device and parking the channel of the call while the call is being transferred (there is no teaching at col. 9, lines 7-15, the cited portion of *Griffith et al.*, of “commanding a programmable switch **to park the channel of the call while the call is being transferred**”).

With regard to the rejection of claims 1, 3-13, 19, and 29 as obvious under 35 U.S.C. § 103 based on *Erwin et al.* in view of *Watts*, Applicants also respectfully traverse this rejection.

The Office Action relies at least in part on *Watts*’ disclosure of an intelligent peripheral 40 as an alleged “one or more intelligent service network components, wherein each of said one or more intelligent service network components means for coupling to at least one of said switch

controllers" (Office Action of April 25, 2008-page 6, second full paragraph). As explained above, this rationale is flawed because intelligent peripheral 40 is **not** an "intelligent service network component," as claimed. For this reason alone, the rejection must be withdrawn.

Moreover, the Examiner relies on *Erwin et al.* for a programmable switch 300 and a switch controller (element 312 or 302). However, the instant claims require the switch controller to be coupled to the programmable switch. This cannot happen in *Erwin et al.* because the identified switch controller (element 312 or 302) is part of the identified programmable switch 300 and therefore cannot be coupled thereto, as claimed.

Still further, the combination of *Erwin et al.* and *Watts* is improper since there would have been no reason to make the combination. Since the "programmable switches" (identified by the Office Action as network switch 34 in *Watts*, and as element 300 in *Erwin et al.*) are completely different and used for different purposes in the applied references, the skilled artisan would not have been led to incorporate "another programmable switch" (viz., switch 34 of *Watts*) into the system of *Erwin et al.* to provide for "another programmable switch" 300.

Accordingly, the Examiner is respectfully requested to withdraw the rejection of claims 1, 3-13, 19, and 29 as obvious under 35 U.S.C. § 103.

Therefore, the present application, as amended, overcomes the rejections of record and is in condition for allowance. Favorable consideration is respectfully requested. If any unresolved issues remain, it is respectfully requested that the Examiner telephone the undersigned attorney at (703) 519-9952 so that such issues may be resolved as expeditiously as possible.

To the extent necessary, a petition for an extension of time under 37 C.F.R. §1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 504213 and please credit any excess fees to such deposit account.

Respectfully Submitted,

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Date

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